CITY OF SAN DIEGO MEMORANDUM

DATE:

December 5, 2008

TO:

Elizabeth Maland, City Clerk

FROM:

Gerri Bollenbach, Assistant Engineer

SUBJECT:

Approval of the final map "Black Mountain Ranch East Clusters Unit No. 2"

The City Engineer has examined and states that he can make the necessary findings to approve the final map "Black Mountain Ranch East Clusters Unit No. 2". Pursuant to Section 125.0630 M.C., please place the following notice as an information item in the Council Docket for January 5, 2009.

NOTICE of Pending Final Map Approval

Notice is hereby given that the City Engineer has reviewed and will approve on the date of this City Council meeting that certain final map entitled "Black Mountain Ranch East Clusters Unit No. 2" (T.M No. 99-1054 PTS No. 146178) located at the northerly terminus of Valle Del Sur Court, northwesterly of Carmel Valley Road and I-15 in the Black Mountain Ranch Community Plan area in Council District 1, a copy of which is available for public viewing at the office of the San Diego City Clerk. Specifically, the City Engineer has caused the map to be examined and has made the following findings:

- (1) The map substantially conforms to the approved tentative map, and any approved alterations thereof and any conditions of approval imposed with said tentative map.
- (2) The map complies with the provisions of the Subdivision Map Act and any local ordinances applicable at the time of approval of the tentative map.
- (3) The map is technically correct.

Said map will be finalized and recorded unless a valid appeal is filed. Interested parties will have 10 calendar days from the date of this Council hearing to appeal the above findings of the City Engineer to the City Council. A valid appeal must be filed with the City Clerk no later than 2:00 PM, 10 calendar days from the date of this City Council meeting stating briefly which of the above findings made by the City Engineer was improper or incorrect and the basis for that conclusion. If you have questions about the map approval findings or need additional information about the map or your appeal rights, please feel free to contact Greg Hopkins at (619) 446-5291.

cc: W.O. 430044 PTS 146178

Attachment: Vicinity map, reduced copy of map

MAP NO.

WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF OR ARE INTERESTED. IN THE LAND EMBRACED WITHIN THE SUBDIVISION TO BE KNOWN AS BLACK WOUNTAIN RANGE EAST CUSTERS WHIT MO. 2, AND WE HEREBY CONSENT TO THE PREPARATION AND RECORDATION OF THIS MAP CONSISTING OF T SKEETS AND DESCRIBED IN THE CAPTION THEREOF.

IT IS OUR INTENT TO SUBDIVIDE OUR ENTIRE INTEREST IN THE REAL PROPERTY SHOWN ON THUS MAP WITHIN THE HEAVY BORDER, INCLUDING AMY REVERSION RIGHTS THAT MAY EXIST WITHIN THE ADJOINING PIBLE CRIGHTS-OF-WAY. IT IS NOT OUR INTENT TO ALTER OR SEVER THE LEGITIMATE RIGHTS OF OTHERS WHO MAY HAVE A CLAIM ON THOSE REVERSION RIGHTS THROUGH PRIOR CONVEYANCES.

WE UI HEREBY GRANT TO THE CITY OF SAN DIEGO, A MINICIPAL CORPORATION, THE EASEMENTS FOR GENERAL UTILITY AND ACCESS PURPOSES OVER LINDER, UPON, AND ACROSS A PORTION OF LOTS 2! THROUGH AND LOTS "Y", "Y", "Y", "Y" A" A", SOWN ON THIS MAP WITHIN THIS SUBDIVISION AND IDENTIFIED AS GENERAL UTILITY AND ACCESS EASEMENT GRANTED HEREON INCLUDING THE RIGHT OF NORSESS AND EGRESSO OF MEASUREMENT, AND ALSO THE RIGHT OF HORSES AND EGRESSO FOR EASEMENT, AND ALSO THE RIGHT OF HORSES AND EGRESSO FOR EASEMENT, AND ALSO THE RIGHT OF HORSES AND EGRESSO FEMEROME VEHICLES FOR ACCESS TO THE PROPERTIES BITHIN THIS SUBDIVISION OF THE OTHER OF THE SUBTRIBUTIONS THE DUNCEN THE PROPERTIES BITHIN THIS SUBDIVISION OF THE TOTHE OWNER OF THE SUBTRIBUTIONS THE CHANGING OF THE SUBTRIBUTION OF THE SUBTRIBUTION

WE HEREBY CRANT AND RELINQUISH TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, ANY AND ALL RIGHTS TO CONSTRUCT, ERECT OR MAINTAIN ANY STRUCTURE TO CONSTRUCT, ERECT OR MAINTAIN ANY STRUCTURE TO CONSTRUCT, ERECT ON THE MENT OF THE OFFICE SHARE THE OF THE CRADE, OR TO OTHERWISE CHANGE THE OPEN SPACE CHARACTER OF THE LAND UNITS MOVED OF THE SAME OF THE PROPERTY OF THE STRUCTURE STRUCTURE OF THE RESERVING TO THE OWNER OF THE FEE UNDERTYING SAD ELSEMINIST HEREIN GRANTED HERGHT TO GRANT EASEMENTS TO ANY PUBLIC UTILITY COMPANY FOR DISTRIBUTION FACILITIES PROVIDED THE SAME ARE INSTALLED UNDERGOUND. AND THE RICHT TO MAINTAIN FIREBREAKS, TRIN OR REMOVE BRUSH AND OTHERISES PROVIDED THE SAME ARE INSTALLED UNDERGOUND. AND THE RICHT TO MAINTAIN FIREBREAKS, REQUIRED BY THE FIRE DEPARTMENT TO PROTECT STRUCTURES AND OTHER THEORY MEASURES SERVING THE FIRE DEPARTMENT TO PROTECT STRUCTURES AND OTHER THROPOCYMENTS FROM POTENTIAL FIRES. RESPONSIBILITY FOR MAINTEMANCE OF SAID LANDS SMALL REMAIN WITH THE OWNER OF THE FEE TITLE OF SAID LANDS SMALL REMAIN WITH THE OWNER OF THE FEE TITLE OF SAID LAND SMALL REMAIN WITH THE OWNER OF THE FEE TITLE OF SAID LAND RAW HOTHING CONTAINED HEREIN SHALL BE CONSTRUED TO ASSIGN ANY MAINTEMANCE RESPONSIBILITY TO THE CULTURE OF SAID LAND RAW HOTHING CONTAINED HEREIN SHALL BE CONSTRUED TO ASSIGN ANY MAINTEMANCE RESPONSIBILITY TO THE CULTURE OF SAID LAND RAW HOTHING CONTAINED HEREIN SHALL BE CONSTRUED TO CONFER ANY RICHTS TO THE CENERAL PUBLIC.

WE MERGBY GRANT TO THE CITY OF SAN DIEGO, A MUNICIPAL CORPORATION, THE EASEMENT WITH THE RIGHT OF INGERSS AND EGRESS FOR THE CONSTRUCTION AND MAINTENANCE OF WATER FACILITIES, DESIGNATED AS "ORAINAGE EASEMENT GRANTED HEREON", AS SHOWN ON THIS MAP WITHIN THIS SUBDIVISION, RESERVING, HOWEVER, TO THE GONER OF THIS FEEL WINDERLYING SAID EASEMENT HEREIN GRANTED THE CONTINUED USE OF THE SUBPLICE OF SAID REAL PROPERTY, AND SUBJECT TO THE FOLLOWING CONDITIONS, THE ERECTING OF BUILDINGS, MASORY FREES, AND OTHER STRUCTURES, OF THE PLANTING OF GROWN OF THESES OF SHOULDS, OF MICH. OF THE SUBPLICE OF THE SUBPLICE

THIS MAP SECURES VESTED DEVELOPMENT RIGHTS AND THE RIGHTS THUS VESTED SHALL REMAIN IN EFFECT FOR THO YEARS FROM DATE OF RECORDATION (SEE MUNICIPAL CODE 125.0131)



SAN DECO, CA 92310
619.291.0707
(FAX)619.291.4165

rickangingering.com

BLACK MOUNTAIN RANCH EAST CLUSTERS UNIT NO. 2

BEDIG A SUBDIVISION OF PARCEL 6 OF PARCEL MAP NO. 18504, IN THE CITY OF SAN DIEGO, COUNTY OF SAN DIEGO, STATE OF CALIFORNIA, ACCORDING TO MAP THEREOF FILED IN THE OFFICE OF THE COUNTY RECORDER OF SAN DIEGO COUNTY, JULY 18, 2000 AS FILE

THE BUILDING RESTRICTED EASEMENT GRANTED TO THE CITY OF SAN DIEGO PER PARCEL MAP NO. 18504 RECORDED JULY 18, 2000 IS NOT SHOWN WITHIN THIS MAP BECAUSE IT HAS BEEN ABANDONED UND VACATED PURSUANT TO SECTION 66434(a) OF THE SUBDIVISION MAP ACT.

THIS IS A MAP OF A PLANNED RESIDENTIAL DEVELOPMENT PROJECT AS DEFINED IN THE SAN DIEGO MUNICIPAL CODE.

SUBDIVISION GUARANTEE FURNISHED BY CHICAGO TITLE INSURANCE COMPANY, ORDER NO. 53041140-150

WE HEREBY GRANT AND RELINQUISH TO THE CITY OF SAN DIEGO, A
MANICIPAL CORPORATION. ANY AND ALL RIGHTS TO CONSTRUCT, ERECT
OR MAINTAIN ANY ADDRESCROUND ROGGED BILLIDING OR COVERED.
STRUCTURE, EXCEPT AS PROVIDED FOR IN PLANKED DEVELOPMENT
PRIMIT MO. 99-1034. OVER, LIPON OR ACROSS ALL OF LOTS 'M', 'O',
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MEREIN GRANTED THE CONTINUED USE OF AND REAL PROPERTY OR ANY
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EASEMENTS TO ANY PUBLIC UTILITY COMPANY FOR DISTRIBUTION
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MEETIN SHALL BE CONSTRUED TO ASSIDD ANY MAINTEMANCE
CONTAINED HEREIN BE CONSTRUED TO CONFERR ANY RIGHTS TO THE
GENERAL PUBLIC.

THE SIGNATURES OF THE FOLLOWING PARTIES HAVE BEEN OMITTED UNDER THE PROVISIONS OF SECTION 66456, SUBSECTION (OLG) LAID OF THE SUBDIVISION MAP ACT, THEIR INTEREST IS SUCH THAT IT CANNOT RIPPN INTO A FEE TITLE AND SAID SIGNATURES ARE NOT REQUIRED BY THE

1. CITY OF SAN DIEGO, HOLDER OF GENERAL UTILITY AND ACCESS EASEMENT DESCRIBED IN DOCUMENT RECORDED AS FRE NO. 2008-___

_____ BEFORE ME

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE WHAT PROVED TO BE ON THE BASIS OF SALESACIONT EVIDENCE TO BE THE PERSONS! WHOSE MAKES! IS/AND SUBSCRIBED TO THE WITHIN HOSTRIBERT AND COMMONEDED TO BE THAT HE/SHE/THEY EXECUTED THE SAME IN HIS/REP/THER AUTHORIZED CAPACITYEES, AND THAT BY HIS/HER/THER SOUTHWEES ON THE HOSTRIBERT THE PERSONS! OR THE ENTITY LIPON BEHALF OF WHICH THE PERSONS ACTED, EXECUTED

I CERTIFY INDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

PRINCIPAL PLACE OF BUSINESS IS COUNTY OF ___

MY COMMISSION EXPIRES

PERSONALLY APPEARED

BLACK MOUNTAIN RANCH LL	LC, A CALIFORNIA	LIMITED LIABILITY	COMPANY	STATE OF CALIFORNIA
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874	
	FREDRIĆ J. MAAS
	PRESIDENT

UNIONBANCAL MORTGAGE CORPORATION, A CALIFORNIA CORPORATION, AS TRUSTEE UNDER DEED OF TRUST RECORDED FEBRUARY 27, 2004 AS FILE NO. 2004-0 556805 OF OFFICIAL RECORDS.

..... BEFORE ME _____ NOTARY PLENIC PERSONALLY APPEARED

WHO PROVED TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSONS! WHOSE MAME(S) IS/ARE SUBSCRIBED TO THE MITHIN USTRIMMENT AND ACKNOWLEDGED TO ME THAT HE/SHE/THEY DESCURED THE SAME IN HIS/HE/THEIR AUTHORIZED CAPACITYTIES!, AND THAT BY HE/SHE/THEIR SIGNATURES! ON THE DESTRUMENT THE PERSONS! OF THE BUTTITY UPON BEHALF OF WHICH THE PERSONS! ACTED, EXECUTED THE INSTRUMENT.

I CERTIFY UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT THE FOREGOING PARAGRAPH IS TRUE AND CORRECT.

WITHESS MY HAND.

SIGNATURE

STATE OF CALIFORNIA

NOTARY PUBLIC DI AND FOR SAID STATE

PRINCIPAL PLACE OF BUSINESS IS COUNTY OF MY COMMISSION EXPIRES

I, CITY CLERK OF THE CITY OF SAN DIEGO, CALIFORNIA, HEREBY CERTIFY THAT THE CITY BROTHER HAS APPROVED THIS SUBDIVISION MAP. I ALSO CERTIFY THAT PROPER PUBLIC MOTICE HAS BEEN GIVEN OF THAT AND THAT THE LEGAL APPEAL PERIOD

I FURTHER CERTIFY THAT THE EASEMENT LISTED HEREON AS BEING VACATED OR ABANDONED PURSUANT TO SECTION 66434(p) OF THE SUBDIVISION MAP ACT IS HEREBY VACATED OR ABANDONED BY THE RECORDING TO CITY COUNCIL RESOLUTION ON R-295030, ADDOTED JUME 19, 2001.

DI WITNESS WHEREOF THESE PRESENTS, I HEREBY EXECUTE AND ATTEST BY SEAL THIS ____ DAY OF ____

ELIZABETH MALAND, CITY CLERK

NOTARY PUBLIC,

WITHERS MY HAME SIGNATURE

OF 7

THIS MAP WAS PREPARED BY ME OR LINDER MY DIRECTION AND IS BASED LIPON A FILLD SURVEY IN CONFORMANCE WITH THE REQUIREMENTS OF THE SUBJECT OF THE SUBJECT OF BLACK MOLINTAIN RANCH, LLC. IN SEPTEMBER OF 2005.

I HEREBY STATE THAT ALL MONAMENTS ARE OF THE CHARACTER AND OCCUPY THE POSITIONS BODICATED OR THAT THEY WILL BE SET IN THOSE POSITIONS WITHIN TWO YEARS OF THE RECORDATION OF THIS MAP LINLESS EXTENDED BY THE CITY ENGINEER, AND THAT THIS FINAL MAP SUBJECT OF THE CONDITIONALLY APPROVED TENTATIVE MAP, ISSE LEGEND SHEET.



PATRICK A. MOMICHAEL, L.S. 6187 LICENSE EXPIRES 3-31-2010

I HEREBY STATE THAT THAS MAP WAS EXAMINED BY ME OR UNDER MY DIRECT SUPERVISION THAT IT SUBSTANTIALLY CONFORMS TO THE TENTATIVE MUP, IF MAY, MAD MY APPOWED ALTERATIONS THEREOF, THAT IT COMPLES WITH THE SUBDIVISION MAP ACT AND MY LOCAL ORDINANCES APPLICABLE AT THE TIME OF APPROVAL OF THE TENTATIVE MAP AND THAT IT IS TECHNICALLY CORRECT.

I ALSO CERTIFY THAT THE SUBDIVISION, OR PART THEREOF, SHOWN ON THE ANNEXED ME AND DESCRIBED IN THE CAPTION THEREOF, IS SUBJECT TO A CONTINUING LIEN SECRIBIO THE ANNUAL LEVY OF A SPECIAL TAX LEVIED PURSUANT TO THE PROVISIONS OF THE MELLO-ROOS COMMUNITY ACT OF 1982, AS AMERICAD, BEING CHAPTER 2.5, PART 1, DIVISION 2, TITLE 5 OF THE GOVERNMENT CODE OF THE STATE OF CALIFORNIA. I PRITER CHITTY THAT THERE ARE NO LIENS AGAINST THE SUBDIVISION, OR ANY PART THEREOF, FOR LIPATION SPECIAL TAXES, EXCEPT SPECIAL TAXES NOT VET PATABLE.

I ACCEPT THOSE ITEMS LISTED IN THE CERTIFICATE SIGNED BY THE DWINERS UNDER THE CONDITIONS EXPRESSED THEREIN.

AFSHIN OSKOUL, CITY ENGINEER

GREGORY P. P.L.S. 7730	HOPKUS, DEPUTY
DATE	

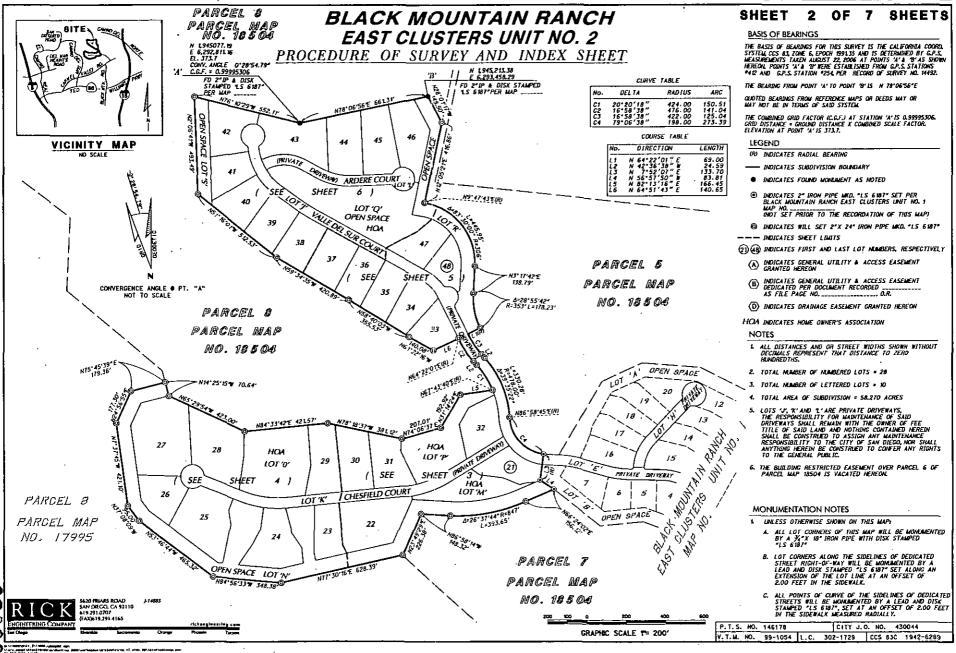
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THOMAS J. PASTUSZKA CLERK OF THE BOARD OF SUPERVISORS	
BY: DEPUTY DATE:	,
FILE NO	
FRED THIS DAY OF, AT THE RE IN BOOK OF, AT THE RE PATRICK A. MOMICHAEL.	
GREGORY J. SMITH BY: DEPUTY COUNTY RECORDER DEPUTY	

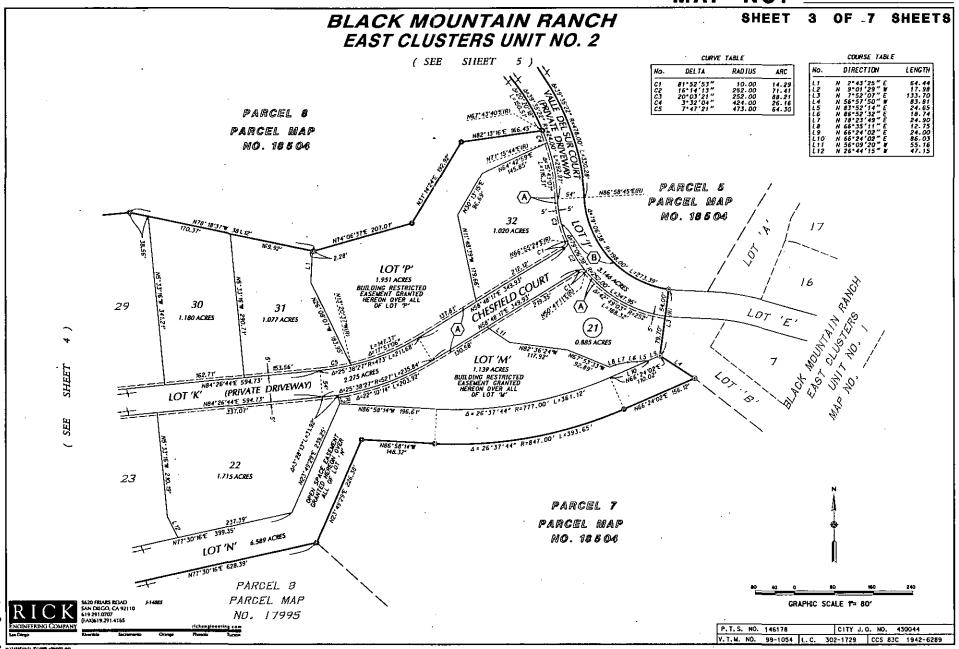
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. T. S.	NO.	146178		CITY J.C	. NO	. 430044
T.M.	NO.	99-1054	L.C. 30	2-1729	ccs	83C 1942-6289

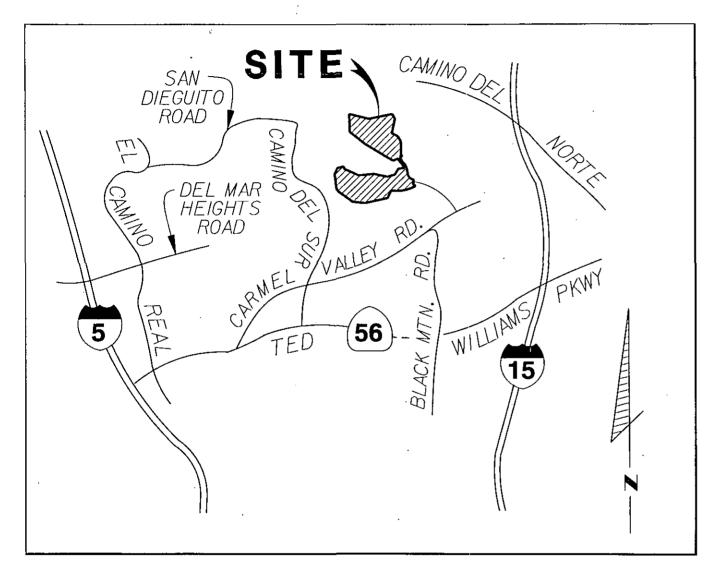
MAP NO.



MAP NO.



MAP NO. BLACK MOUNTAIN RANCH OF 7 SHEETS EAST CLUSTERS UNIT NO. 2 COURSE TABLE (SEE SHEET 6) DEL TA RADIUS ARC N9 47 43 E(R) 1°03'25" 62°45'21" 69°04'31" 1°03'25" 140°44'55" 70°39'35" 70°04'51" 12°18'58" 473.00 20.00 20.00 527.00 50.00 50.00 236.00 8.73 21.91 24.11 9.72 122.82 61.66 61.16 50.73 LOT 'A' OPEN SPACE EASEMENT GRANTED HEREON OVER ALL OF LOT 'Q' COURSE TABLE DIRECTION LENGTH 69.00 90.20 24.59 45.46 52.84 94.73 14.39 129.26 SOUTH DESTRUMENT OF THE PROPERTY OF THE PROPER 38 *37* 1.099 ACRES 36 0.914 ACRES 35 PARCEL 8 0.933 ACRES PARCEL MAP 34 NO. 18504 0.928 ACRES 0.819 ACRES PARCEL 8 PARCEL MAP NO. 18504 LOT GRAPHIC SCALE 1 80' P. T. S. NO. 146178 CITY J. O. NO. 430044 Y. T. M. NO. 99-1054 L.C. 302-1729 CCS 83C 1942-6289 (SEE SHEET 3)



VICINITY MAP

NO SCALE